

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DALER KHUSEINOVICH ZIEEV,

Plaintiff,

vs.

UMED SAIDOV,
FARKHOD SAIDOV,
TJK TRANSPORT, LLC, and
FREIGHT ON TIME, LLC,

Defendants.

8:16CV56

ORDER

This matter is before the court sua sponte. Two of the defendants filed answers on their own behalf. **See** Filing Nos. 5 and 6. One of the individual defendants, Umed Saidov, also filed an answer on behalf of the defendants TJK Transport, LLC and Freight On Time, LLC. **See** Filing No. 7. Umed Saidov distinguished the answer on behalf of the two companies by noting he was doing so in his capacity as their “registered agent.” **Id.** Legal counsel has not entered an appearance on behalf of any of the defendants.

“In all courts of the United States the parties may plead and conduct their own cases personally or by counsel as, by the rules of such courts, respectively, are permitted to manage and conduct causes therein.” 28 U.S.C. § 1654. “[U]nlicensed individuals may not represent other parties in Federal Court under this Statute.” **Turner v. Am. Bar Ass’n**, 407 F. Supp. 451, 475 (N.D. Tex. 1975) *aff’d sub nom. Taylor v. Montgomery*, 539 F.2d 715 (7th Cir. 1976) and *aff’d sub nom. Pilla v. Am. Bar Ass’n*, 542 F.2d 56 (8th Cir. 1976). “[A] corporation may appear in the federal courts only through licensed counsel.” **Rowland v. California Men’s Colony**, 506 U.S. 194, 202 (1993); **Ackra Direct Mktg. Corp. v. Fingerhut Corp.**, 86 F.3d 852, 857 (8th Cir. 1996). “[T]he rationale for that rule applies equally to all artificial entities.” **Rowland**, 506 U.S. at 202. Natural persons only may petition courts themselves and appear pro se. **Id.** at 203.

[B]ecause pro se means to appear for one’s self, a person may not appear on another person’s behalf in the other’s cause. A person must be litigating an interest personal to

him. For example, a lay person may not represent a corporation or a partnership or appear on behalf of his or her own minor child.

Iannaccone v. Law, 142 F.3d 553, 558 (2d Cir. 1998); **see also** ***Guest v. Hansen***, 603 F.3d 15, 20 (2d Cir. 2010) (holding “an administr[ator] or execut[or] of an estate may not proceed pro se when the estate has beneficiaries or creditors other than the litigant”).

There is no evidence in the record Mr. Saidov is a licensed attorney. In the Eighth Circuit, an entity is technically in default absent representation by licensed counsel. ***Ackra Direct***, 86 F.3d at 857. The court will allow the defendants time to secure counsel. If the corporate defendants fail to respond to this order or obtain counsel, the court may enter an order for default. **See** Fed. R. Civ. P. 55. Accordingly,

IT IS ORDERED:

The defendants TJK Transport, LLC and Freight On Time, LLC shall have to **on or before April 12, 2016**, to have licensed counsel enter an appearance on their behalf or show cause why default should not be entered against them.

Dated this 11th day of March, 2016.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge